

FREDERICK COUNTY LIQUOR BOARD
Public Meeting Minutes
Monday, January 6, 2014

Those Present: Mr. Dick Zimmerman, Chairman
Mrs. Maggi Hays, Board Member
Mr. Rick Stup, Board Member
Mrs. Linda B. Thall, Sr. Assistant County Attorney
Mr. Harold C. DeLauter, Alcoholic Bev. Inspector
Mr. Bob Shrum, Alcoholic Bev. Inspector
Ms. Kathy L. Vahle, Administrator
Mrs. Sandra Rees, Administrative Specialist IV
Mrs. Penny Bussard, Administrative Specialist IV

A Public Meeting was held at 12 E. Church Street, Frederick, Maryland, and was called to order at 8:45 am by Chairman Zimmerman.

1. **Chop Stix Cafe** – Ms. Vahle received a request from this establishment to downgrade their license from Beer, Wine and Liquor to Beer and Wine. This can be done during renewal of the license under Article 2B, §10-301.

MOTION: Mr. Stup made a motion for approval of the downgrade to Beer and Wine license upon renewal if there is one available at that time.

SECOND: Mrs. Hays seconded the motion.

FURTHER DISCUSSION

ON THE MOTION: There was no further discussion on the motion.

VOTE: Mr. Stup – Aye
Mrs. Hays – Aye
Mr. Zimmerman – Aye

The vote was unanimous. ***Aye – 3 Nay – 0***
(Motion Passed)

2. **Regulations**– Ms. Vahle stated she will work on the Regulations so when Mrs. Thall comes back from vacation she can start to review the changes. The Board will review them and give Ms. Vahle a list of changes or items to be included for consideration. The Board has to give her input by February 3, 2014.

3. **BOCC Legislation** – Ms. Vahle stated nothing has been submitted by the Frederick County Delegation yet. She will keep the Board informed of any legislation that will affect Frederick County.
4. **Flying Dog Brewery** – Ms. Vahle stated there was discussion about legislation at the Delegation Meeting for the Comptroller's Office to take over complete jurisdiction for the breweries.

MOTION: Mr. Stup made a motion to support Legislation for the Comptroller's Office to have complete jurisdiction for the brewery licenses.

SECOND: Mrs. Hays seconded the motion.

FURTHER DISCUSSION

ON THE MOTION: There was no further discussion on the motion.

VOTE: Mr. Stup – Aye
Mrs. Hays – Aye
Mr. Zimmerman - Aye

The vote was unanimous. **Aye – 3 Nay – 0**
(Motion Passed)

5. **City Zoning** – Ms. Vahle stated she received an email from Joe Adkins, Supervisor of Planning, stating there will be a policy discussion of restaurants with entertainment at the Mayor and Board of Alderman Workshop on January 15th. Mr. Stup and Kathy will attend this discussion.
6. **Last Minute Requests/Renovations** – There was a discussion about the Regulations that requires a two week notice for these requests. When there is a late request, a warning is included in the letter. Chairman Zimmerman proposed that a letter be mailed to all licensees advising that the request must be submitted as required and it will be strictly enforced. Mr. Stup suggested that it appears on the website as a Flash Notice or Special Announcement as well. Ms. Vahle will have a draft letter for the Board to review. The letter will be mailed within 10 days to 2 weeks.
7. Decision Required: New

RE: Abu Sayed

for the use of
Washingtonian Express
t/a Washingtonian
Express
1395 W. Patrick St.
Frederick, MD 21702
Class A, Off Sale, Beer Only

Ms. Vahle swore in the applicants (See attached Sign In Sheet).
Inspector DeLauter stated they are compliant. Mr. Sayed will
take the Alcohol Awareness training course.

MOTION: Mrs. Hays made a motion for a conditional
approval for February 3, 2014.

SECOND: Mr. Stup seconded the motion.

FURTHER DISCUSSION

ON THE MOTION: There was no further discussion on the
motion.

VOTE: Mrs. Hays – Aye
Mr. Stup – Aye
Mr. Zimmerman – Aye

The vote was unanimous. **Aye – 3 Nay – 0**
(Motion Passed)

8. Decision Required: Violation Reconsideration

RE: Michael D. Allen for the use of
Joey & Johnny's LLC
t/a Manny Mart
119 South Market Street
Frederick, MD 21701
Class A Off Sale, Beer
License Number 11A 3104 SU
FCLB Case: 6762

Ms. Vahle swore in the witnesses (See attached Sign In Sheet). The
Board held a violation hearing on 11-18-13 for the charge of selling
alcoholic beverages to a patron outside of the authorized
licensed premises. Mr. Allen, Licensee, requested that the Board
reconsider their decision. Mr. Barry John, the owner, stated he felt
there was not enough evidence to support this verdict. Corporal
Snyder testified that the person walked out of the store with two

cans of beer in a plastic bag and handed them to the person on the bike. He also stated he did recognize the clerk who handed the beer to the person on the bike.

MOTION: Mr. Stup made a motion after what was presented today not to change the decision.

SECOND: Mrs. Hays seconded the motion.

FURTHER DISCUSSION

ON THE MOTION: There was no further discussion on the motion.

VOTE: Mr. Stup - Aye
Mrs. Hays - Aye
Mr. Zimmerman - Aye

The vote was unanimous. **Aye - 3 Nays - 0**
(Motion Passed)

9. **The Raw Bar & Grill** – This licensee met with the Board to discuss his request to have entertainment. Mr. Cogott stated he wanted to be able to compete with the rest of the businesses in the downtown area. He is aware of the problems the former owners had in the past and does not want to repeat this again. Mr. Cogott will send the Board a list each month of what entertainment he will have and apply for an entertainment permit from Zoning. Officer Jason Keckler gave a summary of previous calls for service. He suggested security outside, maintaining a working relationship with the Police Department.

MOTION: Mr. Stup made a motion to approve the request for entertainment ending at 1AM subject Zoning approval.

SECOND: Mrs. Hays seconded the motion.

FURTHER DISCUSSION

ON THE MOTION: There was no further discussion on the motion.

VOTE: Mr. Stup - Aye
Mrs. Hays - Aye
Mr. Zimmerman - Aye

The vote was unanimous. ***Aye – 3 Nays – 0***
(Motion Passed)

10. Decision Required: Approval of the Public Meeting Minutes for December 2, 2013.

MOTION: Mrs. Hays made a motion to approve the Public Meeting Minutes for December 2, 2013 as submitted.

SECOND: Mr. Stup seconded the motion.

FURTHER DISCUSSION

ON THE MOTION: There was no further discussion on the motion.

VOTE: Mrs. Hays - Aye
Mr. Stup - Aye
Mr. Zimmerman – Aye

The vote was unanimous. ***Aye – 3 Nays – 0***
(Motion Passed)

11. **Entertainment** – Mr. Stup asked that the draft letter include the policy regarding entertainment. Ms. Vahle stated she will go over the regulations and a statement will be in the draft letter to be reviewed that the Regulations will be enforced by the Board.

ADJOURN

The meeting was adjourned at 10:11 am.

Respectfully submitted,

Kathy Vahle, Administrator
FREDERICK COUNTY LIQUOR BOARD

Prepared by Sandra Rees